

ENVIRONMENTAL PROTECTION COMMISSION[567]

Adopted and Filed

Pursuant to the authority of Iowa Code section 455B.105(3), the Environmental Protection Commission hereby amends Chapter 64, "Wastewater Construction and Operation Permits," Iowa Administrative Code.

The amendments to paragraph 64.16(3)"a" increase the fees for authorizations issued under the general permits for storm water discharges. The fee increases are necessary as the demands upon the storm water fees have exceeded the amount collected for the last several years. Also, the requirement that coverage provided by the multiyear (3-, 4- and 5-year) fees expire no later than the general permit under which the coverage was issued is being removed to provide consistency with the amended requirements in the recently reissued general permits.

Notice of Intended Action was published in the Iowa Administrative Bulletin on January 2, 2008, as **ARC 6521B**. Comments regarding these amendments were received during the comment period and at the public hearing on January 24, 2008. The comments and the Department's response are contained in the responsiveness summary, which can be obtained by telephoning Joe Griffin at (515)281-7017. There are no changes from the Notice of Intended Action resulting from the public comments.

These amendments are intended to implement Iowa Code chapter 455B, division I.

These amendments will become effective August 6, 2008.

The following amendments are adopted.

Amend paragraph **64.16(3)"a"** as follows:

a. For coverage under the NPDES general permits, the following fees apply:

(1) Storm Water Discharges Associated with Industrial Activity, NPDES General Permit No. 1.

Annual Permit Fee . . . . . \$150 175(per year)

or

Five-year Permit Fee . . . . .	\$600 <u>700</u>
Four-year Permit Fee . . . . .	\$450 <u>525</u>
Three-year Permit Fee . . . . .	\$300 <u>350</u>

~~(Coverage provided by the five-year, four-year, and three-year permit fees expires no later than the expiration date of the general permit. Maximum coverage is five years, four years, and three years, respectively.)~~ All fees are to be submitted with the Notice of Intent for coverage under the general permit.

(2) Storm Water Discharge Associated with Industrial Activity for Construction Activities, NPDES General Permit No. 2. The fees are the same as those specified for General Permit No. 1 in subparagraph (1) of this paragraph.

(3) Storm Water Discharge Associated with Industrial Activity from Asphalt Plants, Concrete Batch Plants, and Rock Crushing Plants, NPDES General Permit No. 3. The fees are the same as those specified for General Permit No. 1 in subparagraph (1) of this paragraph.

(4) Discharge from Onsite Wastewater Treatment and Disposal Systems, NPDES Permit No. 4. No fees shall be assessed.

(5) Discharge from Mining and Processing Facilities, NPDES General Permit No. 5. Fees as established in 2006 Iowa Acts, House File 2540, section 25, are to be submitted by August 30 of every year unless a multiyear fee payment was received in an earlier year. New facilities seeking General Permit No. 5 coverage in any month but August shall submit fees with the Notice of Intent for coverage. Coverage provided by the five-year, four-year, or three-year permit fees expires no later than the expiration date of the general permit. Maximum coverage is five years, four years, and three years,

respectively. In the event a facility is no longer eligible to be covered under General Permit No. 5, the remainder of the fees previously paid by the facility shall be applied toward its individual permit fees.

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EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 7/2/08.